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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/517,977  
Applicant: Dean BOYD *et al.*  
Filed: March 3, 2000  
Title: TARGET PRICING METHOD  
TC/A.U.: 3629  
Examiner: Edward R. Cosimano

Confirmation No.: 5716

Attorney Docket No.: 82001-0312

Customer No.: 24633

**Mail Stop Petitions**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. §1.47(a)**

Dear Sir:

Applicants hereby petition under 37 C.F.R. §1.47(a) to file the present application without the signatures of two (2) of the inventors on a Supplemental Declaration for Patent Application. Submitted herewith is a joint Supplemental Declaration for Patent Application identifying the present application by application number and by filing date. The joint Supplemental Declaration for Patent Application is signed by one of the three inventors (Robert L. Philips) and has blank signature blocks for the non-signing inventors (Dean Boyd and Thomas E. Guardino). In accordance with MPEP §409.03(a)(A), this joint Supplemental Declaration for Patent Application may be treated as having been signed by the available inventor on behalf of the non-signing inventors.

Further submitted herewith (Attachment A) is a copy of the originally submitted Declaration and Recorded Assignment that is properly executed by all inventors (Messrs. Boyd, Guardino and Philips). Please note all inventors signed these documents and the only discrepancy is the missing Post Office Address for each signed inventor, which is one and the same as their residential address.

Further attached herewith (Attachment B) is a Declaration in Support of the Petition under 37 C.F.R. §1.47(a) [hereafter the "Declaration"] describing the diligent efforts made to contact the non-signing inventors, Messrs. Boyd and Guardino, who either refuse to sign the joint Supplemental Declaration or cannot be located. As further described in the Declaration,

06/16/2005 SZWDTL 0000009 09517977

01/10/2005

12020820P

06/30/2005 JBALINAN 00000057 501349 09517977

01 FC:1463

70.00 DA

130.00 OP

Application No.: 09/517,977  
Petition Under 37 CFR §1.47(a) dated June 13, 2005

Boyd and Guardino were employees of the assignee of the present application during the time of invention and are under a legal obligation to sign an Oath or Declaration.

The last known address for Mr. Boyd is:

3645 Wagner Lane, Cottage Grove, Oregon 97424.

The last known address for Mr. Guardino is:

1033 Forrester Way, Eugene, California 97401.

Also submitted herewith is check number 11802 for the Petition fee of \$130 as specified in 37 CFR §1.17(h). Please charge any deficiencies and credit any overpayment to the Deposit Account No. 50-1359 of the undersigned.

Respectfully submitted,

Dated: June 13, 2005

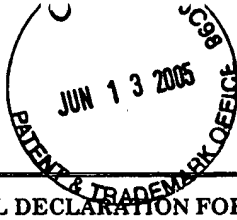
By:



Celine Jimenez Crowson  
Registration No. 40,357

**Hogan & Hartson, L.L.P.**  
555 Thirteenth St., N.W.  
Washington, DC 20004  
Telephone: 202-637-5703  
Facsimile: 202-637-5910  
**Customer No. 24633**

David D. Nelson  
Registration No. 47,818



SUPPLEMENTAL DECLARATION FOR PATENT APPLICATION

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Attorney Docket No. 82001-0312

As a below named inventors, WE hereby declare that:

OUR residence, post office address and citizenship are as stated below next to our name,

WE believe WE are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TARGET PRICING METHOD**

the specification of which:

☐ is attached hereto; or

☒ was filed as United States application Serial No. 09/517,977 on March 3, 2000; or

was filed as PCT international application Number \_\_\_\_\_ on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

WE hereby state that WE have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

WE acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

WE hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN APPLICATION(S):**

| COUNTRY<br>(if PCT, indicate PCT) | APPLICATION NUMBER | DATE OF FILING<br>(day, month, year) | PRIORITY CLAIMED   |
|-----------------------------------|--------------------|--------------------------------------|--|
|                                   |                    |                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No |

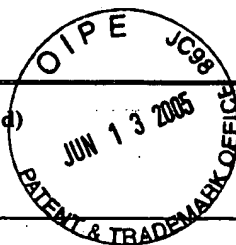
WE hereby claim the benefits under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

**U.S. PROVISIONAL APPLICATIONS**

| U.S. PROVISIONAL APPLICATION NO. | U.S. FILING DATE |
|----------------------------------|------------------|
| 60/123,345                       | March 5, 1999    |
| 60/122,958                       | March 5, 1999    |
| 60/178,501                       | January 27, 2000 |
|                                  |                  |

Supplemental Declaration For Patent Application - (Continued)  
(includes Reference to PCT International Applications)

Attorney Docket No. 82001-0312  
Page 2



WE hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT:**

| U.S. APPLICATIONS    |                  | STATUS (Check One) |         |           |
|----------------------|------------------|--------------------|---------|-----------|
| U.S. APPLICATION NO. | U.S. FILING DATE | PATENTED           | PENDING | ABANDONED |
|                      |                  |                    |         |           |
|                      |                  |                    |         |           |
|                      |                  |                    |         |           |

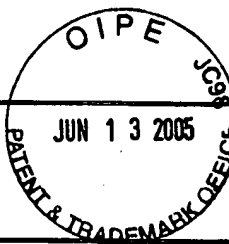
Direct Telephone Calls To:  
(name and telephone number)

**Celine Jimenez Crowson**  
**202-637-5703**

WE hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

|                             |  |   |  |
|-----------------------------|--|---|--|
| FULL NAME OF FIRST INVENTOR | Dean Boyd  |   |  |
| RESIDENCE & CITIZENSHIP     | 36245 Wagner Lane<br>Cottage Grove, Oregon 97424 | COUNTRY OF CITIZENSHIP<br>United States |  |
| POST OFFICE ADDRESS         | 36245 Wagner Lane, Cottage Grove, Oregon 97424   |   |  |
| FIRST INVENTOR'S SIGNATURE  |  | DATE                                    |  |

Names of additional inventors attached ☒ YES ☐ NO

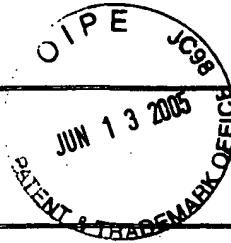



|   |  |  |
|---|--|--|
| Supplemental Declaration For Patent Application - (Continued)<br>(includes Reference to PCT International Applications) |  | Attorney Docket No. 82001-0312<br>Page 3 |
| FULL NAME OF SECOND INVENTOR  | Thomas E. Guardino                         |  |
| RESIDENCE & CITIZENSHIP   | 1033 Forrester Way<br>Eugene, Oregon 97401 | COUNTRY OF CITIZENSHIP<br>United States  |
| POST OFFICE ADDRESS   | 1033 Forrester Way, Eugene, Oregon 97401   |  |
| SECOND INVENTOR'S SIGNATURE   |  | DATE                                     |

|  |
|--|
| Names of additional inventors attached <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
|--|

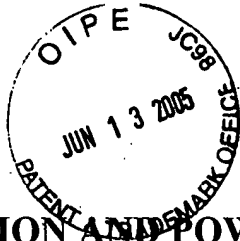
Supplemental Declaration For Patent Application - (Continued)  
(includes Reference to PCT International Applications)

Attorney Docket No. 82001-0312  
Page 4



|                             |   |   |
|-----------------------------|---|---|
| FULL NAME OF THIRD INVENTOR | Robert L. Phillips  |   |
| RESIDENCE & CITIZENSHIP     | 2290 Yale Street<br>Palo Alto, California 94306                                   | COUNTRY OF CITIZENSHIP<br>United States |
| POST OFFICE ADDRESS         | 2290 Yale Street, Palo Alto, California 94306                                     |   |
| THIRD INVENTOR'S SIGNATURE  |  | DATE 10/16/03                           |

Names of additional inventors attached ☐ YES ☒ NO

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

(X) Original    () Supplemental    () Substitute    () PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**TARGET PRICING METHOD**", which is described and claimed in the specification

(check one)    ☐ which is attached hereto, or  
                  ☒ which was filed on March 3, 2000, as United States Application No. 09/517,977  
                  ☐ in International Application No. PCT/, filed , and as amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known by me to be material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

| PRIOR FOREIGN APPLICATIONS:<br>(ENTER BELOW IF APPLICABLE) |         |                         | PRIORITY CLAIMED<br>(MARK APPROPRIATE BOX BELOW) |    |
|--|---------|-------------------------|--|----|
| APP.<br>NUMBER   | COUNTRY | DAY/MONTH/YEAR<br>FILED | YES  | NO |
|  |         |                         |  |    |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

| APPLICATION NUMBER | FILING DATE   |
|--------------------|---------------|
| 60/123,345         | March 5, 1999 |
| 60/122,958         | March 5, 1999 |

60/178,501

January 27, 2000

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known by me to be material to the patentability of the claims of this application as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION<br>SERIAL NO. | FILING DATE | STATUS<br>(MARK APPROPRIATE COLUMN BELOW) |         |           |
|---------------------------|-------------|---|---------|-----------|
|                           |             | PATENTED                                  | PENDING | ABANDONED |
|                           |             |   |         |           |
|                           |             |   |         |           |

I hereby appoint the following attorneys and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

|                     |                 |                        |                 |
|---------------------|-----------------|------------------------|-----------------|
| William H. Needle   | Reg. No. 26,209 | Jacqueline M. Hutter   | Reg. No. 44,792 |
| Sumner C. Rosenberg | Reg. No. 28,753 | Matthew D. Josephic    | Reg. No. 43,699 |
| David G. Perryman   | Reg. No. 33,428 | David S. Kerven        | Reg. No. 43,712 |
| Mitchell A. Katz    | Reg. No. 33,919 | Lori L. Kerber         | Reg. No. 41,113 |
| Gregory J. Kirsch   | Reg. No. 35,572 | Janice A. Kimpel       | Reg. No. 42,734 |
| Gwendolyn D. Spratt | Reg. No. 36,016 | Tina W. McKeon         | Reg. No. 43,791 |
| Nagendra Setty      | Reg. No. 38,300 | Mary L. Miller         | Reg. No. 39,303 |
| D. Andrew Floam     | Reg. No. 34,597 | Mark A. Murphy         | Reg. No. 42,915 |
| William R. Johnson  | Reg. No. 32,875 | Lance D. Reich         | Reg. No. 42,097 |
| Allan G. Altera     | Reg. No. 40,274 | Lisa A. Samuels        | Reg. No. 43,080 |
| Bryan W. Bockhop    | Reg. No. 39,613 | Lawrence A. Villanueva | Reg. No. 43,968 |
| John L. Capone      | Reg. No. 41,656 | Mitchell G. Weatherly  | Reg. No. 40,864 |
| Kean J. DeCarlo     | Reg. No. 39,954 | Tim T. Xia             | Reg. No. 45,242 |
| LaVonda R. DeWitt   | Reg. No. 40,396 |                        |                 |

Address all telephone calls to Lance D. Reich at telephone no. (404) 688-0770.

Address all correspondence to:

Lance D. Reich  
 NEEDLE & ROSENBERG, P.C.  
 Suite 1200, The Candler Building  
 127 Peachtree Street, N.E.  
 Atlanta, Georgia 30303-1811

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with



the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Dean Boyd

Inventor's signature: Dean Boyd

Date: 21 Mar 2000

Residence: 36245 Wagner Lane  
Cottage Grove, Oregon 97424

Post Office Address:

Citizenship: U.S.A.

Full name of second inventor: Thomas Guardino

Inventor's signature: Thomas Guardino

Date: 3/23/00

Residence: 1033 Forrester Way  
Eugene, Oregon 97401

Post Office Address:

Citizenship: U.S.A.

Full name of third inventor: Robert L. Phillips

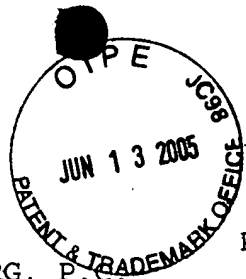
Inventor's signature: Robert L. Phillips

Date: 3/31/00

Residence: <sup>2390</sup>~~2920~~ Yale Street  
Palo Alto, California 94306

Post Office Address:

Citizenship: U.S.A.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

AUGUST 23, 2000

PTAS

NEEDLE & ROSENBERG, P.C.  
LANCE D. REICH, ESQ.  
SUITE 1200, THE CANDLER BUILDING  
127 PEACHTREE STREET, N.E.  
ATLANTA, GA 30303-1811



\*101396625A\*

RECEIVED

SEP 05 2000

NEEDLE & ROSENBERG

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/07/2000

REEL/FRAME: 010888/0959  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
BOYD, DEAN

DOC DATE: 03/21/2000

ASSIGNOR:  
GUARDINO, THOMAS

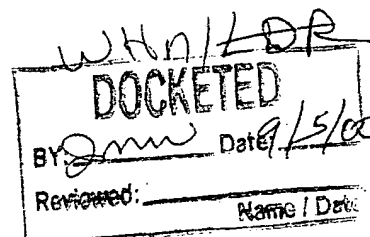
DOC DATE: 03/28/2000

ASSIGNEE:  
TALUS SOLUTIONS  
650 CASTRO STREET, SUITE 300  
MT.VIEW, CALIFORNIA 94041

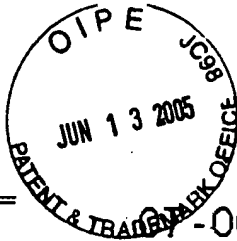
SERIAL NUMBER: 09517977  
PATENT NUMBER:

FILING DATE: 03/03/2000  
ISSUE DATE:

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



6-7-00



ATTORNEY DOCKET NO. 20113.0001U2  
SERIAL NO. 09/517,977  
PAGE 1 OF 2

FORM PTO-1595  
(Revised 6-93)

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OPR/FINANCE

101396625

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS:

Please record the attached original documents or copy thereof.

ATTORNEY DOCKET NO.: 20113.0001U2

1. Name of conveying party(ies): Dean Boyd and Thomas Guardino

Additional names of conveying party(ies) attached?

☐ YES ☒ NO

2. Name and address of receiving party(ies):

Name: Talus Solutions

Street Address: 650 Castro Street, Ste. 300

City: Mt. View

State: California

Zip: 94041

Additional name(s) and address(es) attached?

☐ YES ☒ NO

3. Nature of conveyance:

|                                     |                    |                          |                |                          |       |
|-------------------------------------|--------------------|--------------------------|----------------|--------------------------|-------|
| <input checked="" type="checkbox"/> | Assignment         | <input type="checkbox"/> | Merger         | <input type="checkbox"/> | Other |
| <input type="checkbox"/>            | Security Agreement | <input type="checkbox"/> | Change of Name |                          |       |

Execution Date: March 21, 2000 and March 28, 2000

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s): 09/517,977

B. Patent No.(s):

Additional numbers attached? ☐ YES ☒ NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Lance D. Reich, Esq.  
NEEDLE & ROSENBERG, P.C.  
Suite 1200, The Candler Building  
127 Peachtree Street, N.E.  
Atlanta, Georgia 30303-1811  
(404) 688-0770

6. Total number of applications and patents involved: 1

07/06/2000 DNGUYEN 00000087 09517977

01 FC 581 7. Total fee (37 CFR 3.41): 40.00 DP \$40.00  
[X] Enclosed  
[ ] Authorized to be charged to Deposit Account.

\*\*\*\*\*  
The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 14-0629.  
\*\*\*\*\*

8. Deposit account number: 14-0629

(Attach duplicate copy of this form if paying by deposit account)

9. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Lance D. Reich

Lance D. Reich  
Reg. No. 42,097

1 June 2000  
Date

Total Number of Pages Including Cover Sheet, Attachments, and Document: 5

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX ASSIGNMENT, Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date shown below.

Lance D. Reich

Lance D. Reich

1 June 2000  
Date

ASSIGNMENT

WHEREAS, we, Dean Boyd of 36245 Wagner Lane, Cottage Grove, Oregon 97424; Thomas Guardino of 1033 Forrester Way, Eugene, Oregon 97401; Robert L. Phillips of <sup>2290</sup>~~2920~~ Yale Street, Palo Alto, California 94306; U.S.A., have invented new and useful improvements in a **TARGET PRICING METHOD** for which an application for United States Letters Patent was filed on March 3, 2000, Serial No. 09/517,977; and

WHEREAS, **TALUS SOLUTIONS** whose post-office address is 650 Castro Street, Suite 300, Mt. View, California 94041, U.S.A., a Delaware corporation, is desirous of acquiring the entire interest in the same;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, we, Dean Boyd, Thomas Guardino and Robert L. Phillips, hereby do sell, assign and transfer unto said **TALUS SOLUTIONS**, the entire right, title and interest in and to said invention and application throughout the world, including, without limitation, any Letters Patent which may issue thereon, and any subsequent application claiming priority to the above-identified application under 35 U.S.C. § 119(e), reissue, reexamination, division, continuation-in-part, extension or continuation thereof and all rights of priority under the International Convention arising from said application; the same for its legal representatives and assigns, as fully and entirely as the same would have been held by us had this assignment and sale not been made;

AND, we hereby bind ourselves, our heirs, legal representatives, administrators and assigns properly to execute without further consideration any and all applications, petitions, oaths and assignments or other papers and instruments which may be necessary in order to carry into full force and effect, the sale, assignment, transfer and conveyance hereby made or intended to be made and generally do everything possible to aid **TALUS SOLUTIONS**, its legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries throughout the world.

We also authorize counsel for **TALUS SOLUTIONS** to enter above the filing date and serial number of the application when they become available.

IN WITNESS WHEREOF, I have executed this Assignment this 21 day of March 2000.

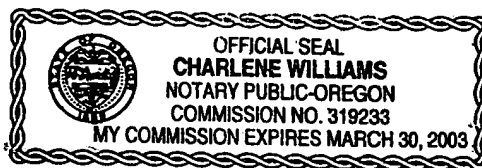
D. L. Boyd (L.S.)  
Dean Boyd

State of Oregon  
County of Lane

On this 21st day of March, 2000, before me, a Notary Public, came Dean Boyd, to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.

Charlene Williams  
Notary Public

My Commission Expires: 3-30-03



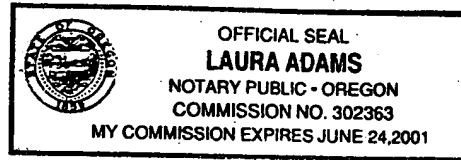
IN WITNESS WHEREOF, I have executed this Assignment this 28 day of March, 2000.

Thomas E. Guardino (L.S.)  
Thomas Guardino

State of Oregon  
County of Lane

On this 28th day of March, 2000, before me, a Notary Public, came Thomas Guardino, to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.

Laura Adams  
Notary Public



My Commission Expires: 6-24-2001

IN WITNESS WHEREOF, I have executed this Assignment this 31 day of March, 2000.

Robert L. Phillips (L.S.)  
Robert L. Phillips

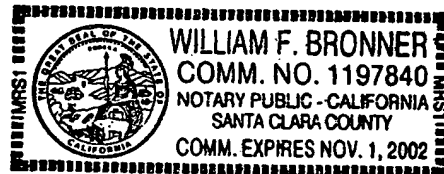
State of CALIFORNIA

County of SANTA CLARA

On this 31<sup>ST</sup> day of MARCH, 2000, before me, a Notary Public, came Robert L. Phillips, to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.

*WITNESS MY HAND AND OFFICIAL SEAL*

William F. Bronner  
Notary Public WILLIAM F. BRONNER  
My Commission Expires: NOV, 2002





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/517,977 Confirmation No. 5716  
Applicants: Dean BOYD et al.  
Filing Date: March 3, 2003  
Title: TARGET PRICING METHOD  
T.C./Art Unit: 3629  
Examiner: Edward R. Cosimano

Attorney Docket No.: 82001-0312  
**Customer Number: 24633**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 20313-1450

**DECLARATION IN SUPPORT OF PETITION UNDER 37 C.F.R. §1.47(a)**

Sir:

In support of a Petition Under 37 C.F.R. 1.47(a) for the above-referenced patent application, I, David D. Nelson, declare that I am a registered Patent Attorney, Registration No. 47,818, that I represent Manugistics Atlanta, Inc. [the "Applicant"] in connection with the preparation and prosecution of the present patent application, and that I am authorized to make the following statements:

(1) The Applicant is a corporation of the state of Delaware and principally located at 9715 Key West Avenue, Rockville, MD 20850.

(2) Mr. Dean Boyd and Mr. Thomas E. Guardino were employees of a Talus, Inc., the Applicant's previous corporate identity. During their employment period, Mr. Boyd and Mr. Guardino, as part of their employment duties, participated in the development of the invention disclosed of the present patent application. Under the terms of their employment, Mr. Boyd and Mr. Guardino were required to assign the invention to the Applicant and to cooperate in any efforts related to patenting the invention.

(3) According to the Applicant's personnel records, the last known correspondence address for Mr. Boyd is:

36245 Wagner Lane  
Cottage Grove, Oregon 97424.



(4) According to the Applicant's personnel records, a previous correspondence address for Mr. Guardino was:

1033 Forrester Way  
Eugene, Oregon 97401.

(5) On October 6, 2003, I sent to Mr. Boyd at his last known address a copy of the present application as filed, a supplemental declaration in accordance with 37 CFR §1.63, and instructions for Mr. Boyd to review the application and execute the declaration. A copy of this letter is appended as Attachment 1. This package was sent to Mr. Boyd via Federal Express, Waybill # 8316 6307 2446.

(6) On October 6, 2003, I sent to Mr. Guardino at his last known address a copy of the present application as filed, a supplemental declaration in accordance with 37 CFR §1.63, and instructions for Mr. Guardino to review the application and execute the declaration. A copy of this letter is appended as Attachment 2. This package was sent to Mr. Guardino via Federal Express, Waybill # 8316 6307 2398.

(7) On May 12, 2004, I again sent to Mr. Boyd at his last known address a supplemental declaration in accordance with 37 CFR §1.63, and instructions for Mr. Boyd to execute the declaration. A copy of this letter is appended as Attachment 3.

(8) On May 12, 2004, I again sent to Mr. Guardino at his last known address a supplemental declaration in accordance with 37 CFR §1.63, and instructions for Mr. Guardino to execute the declaration. A copy of this letter is appended as Attachment 4.

(9) On July 27, 2004, I again sent to Mr. Boyd at his most recent mailing address a copy of the present application as filed, a supplemental declaration in accordance with 37 CFR §1.63, and instructions for Mr. Boyd to review the application and execute the declaration. A copy of this letter is appended as Attachment 5. This package was sent to Mr. Boyd via Federal Express, Waybill # 8371 7839 2855, a confirmation of delivery is also included verifying delivery of this package.

(10) On December 17, 2003, I also sent to Mr. Guardino at his most recent mailing address a copy of the present application as filed, a supplemental declaration in accordance with 37 CFR §1.63, and instructions for Mr. Guardino to review the application and execute the declaration. A copy of this letter is appended as Attachment 6. This package was sent via Federal Express, Waybill # 8371 7839 2947, a confirmation of delivery is also included verifying delivery of this package.

(11) I have received no other response or correspondence from Mr. Boyd or Mr. Guardino. I make this Declaration to prevent abandonment of the subject patent application as Mr. Boyd and Mr. Guardino are required to execute the Supplemental Declaration but have not yet done so.

(12) Because of the extended time period between the initial submission of the patent application and this Patent Office's request for a supplemental declaration, obtaining executed documents from the two non-signing inventors has been quite difficult.

I further declare that all statements made herein of my own knowledge are true; that all statements made on information and belief are believed to be true; that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001; and that such willful false statements may jeopardize the validity of the application or document or any resulting registration resulting therefrom.

Respectfully submitted,

Dated: June 13, 2005

By:

A handwritten signature in black ink, appearing to be 'D. Nelson', written over a horizontal line.

David D. Nelson  
Registration No. 47,818

**Hogan & Hartson, L.L.P.**  
555 Thirteenth St., N.W.  
Washington, DC 20004  
Telephone: 202-637-6807  
Facsimile: 202-637-5910  
**Customer No. 24633**

**HOGAN & HARTSON**  
L.L.P.



David D. Nelson  
Telephone: 202-637-6807  
Facsimile: 202-637-5910  
ddnelson@hhlaw.com

COLUMBIA SQUARE  
555 THIRTEENTH STREET, NW  
WASHINGTON, DC 20004-1109  
TEL (202) 637-5600  
FAX (202) 637-5910  
WWW.HHLAW.COM

October 6, 2003

**VIA FEDERAL EXPRESS**

Mr. Dean Boyd  
36245 Wagner Lane  
Cottage Grove, California 97424

Re: U.S. Patent Application No. 09/517,977  
Title: TARGET PRICING METHOD  
Inventors: Dean BOYD et al.  
Our Ref: 82001-0312

Dear Mr. Boyd:

Enclosed for your records is a copy of the application and figures as originally filed on March 3, 2000.

The original declaration that you signed at the original filing of this application was rejected by the U.S. Patent and Trademark Office for technical reasons. Thus, a supplemental Declaration form for your signature is also enclosed. Please execute the supplemental Declaration and return the signed document via facsimile or in the enclosed self-addressed Federal Express return envelopes provided for your convenience. When executing the supplemental Declaration, you will need to initial and date any change or addition.

Please feel free to contact me should you have any questions concerning this application.

Very truly yours,

*David D. Nelson*  
David D. Nelson

CJC/DDN:dm

Enclosure: Supplemental Declaration for Patent Application

Letters sent to fellow inventors for signature: Thomas E. Guardino and Robert L. Phillips

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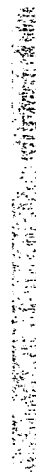
2 Your Internal Billing Reference 82001-0312

3 To Recipient's Name Dean Boyd Phone ( )

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L.L.P.

David D. Nelson  
Telephone: 202-637-6807  
Facsimile: 202-637-5910  
ddnelson@hhlaw.com

COLUMBIA SQUARE  
555 THIRTEENTH STREET, NW  
WASHINGTON, DC 20004-1109  
TEL (202) 637-5600  
FAX (202) 637-5910  
WWW.HHLAW.COM

October 6, 2003

## VIA FEDERAL EXPRESS

Mr. Thomas E. Guardino  
1033 Forrester Way  
Eugene, Oregon 97401

Re: U.S. Patent Application No. 09/517,977  
Title: TARGET PRICING METHOD  
Inventors: Dean BOYD et al.  
Our Ref: 82001-0312

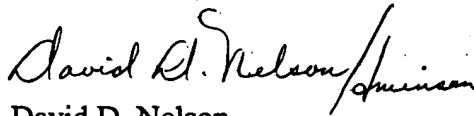
Dear Mr. Guardino:

Enclosed for your records is a copy of the application and figures as originally filed on March 3, 2000.

The original declaration that you signed at the original filing of this application was rejected by the U.S. Patent and Trademark Office for technical reasons. Thus, a supplemental Declaration form for your signature is also enclosed. Please execute the supplemental Declaration and return the signed document via facsimile or in the enclosed self-addressed Federal Express return envelopes provided for your convenience. When executing the supplemental Declaration, you will need to initial and date any change or addition.

Please feel free to contact me should you have any questions concerning this application.

Very truly yours,

  
David D. Nelson

CJC/DDN:dm

Enclosure: Supplemental Declaration for Patent Application

Letters sent to fellow inventors for signature: Dean Boyd, and Robert L. Phillips

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L.L.P.



CELINE JIMENEZ CROWSON  
PARTNER  
(202) 637-5703  
CJCROWSON@HHLAW.COM

COLUMBIA SQUARE  
555 THIRTEENTH STREET, NW  
WASHINGTON, DC 20004-1109  
TEL (202) 637-5600  
FAX (202) 637-5910  
WWW.HHLAW.COM

May 12, 2004

**VIA FIRST CLASS MAIL**

Mr. Dean Boyd  
36245 Wagner Lane  
Cottage Grove, Oregon 97424

Re: U.S. Patent Application No. 09/517,977  
Title: TARGET PRICING METHOD  
Inventors: BOYD, Dean et al.  
Our Ref: 82001-0312

Dear Mr. Boyd:

Further to our letter of October 6, 2003, we enclose for your convenience another copy of the supplemental Declaration for execution.

Please execute the supplemental Declaration and return the signed document via facsimile or in the enclosed self-addressed return envelope provided for your convenience. When executing the supplemental Declaration, you will need to initial and date any change or addition.

Please feel free to contact me should you have any questions concerning this application.

Very truly yours,

A handwritten signature in black ink, appearing to read "Celine Crowson" with a stylized flourish at the end.

Celine Jimenez Crowson

CJC/DDN/mag  
Enclosure

Letters sent to fellow inventors for signature: Thomas E. Guardino

**HOGAN & HARTSON**  
L.L.P.



CELINE JIMENEZ CROWSON  
PARTNER  
(202) 637-5703  
CJCROWSON@HHLAW.COM

COLUMBIA SQUARE  
555 THIRTEENTH STREET, NW  
WASHINGTON, DC 20004-1109  
TEL (202) 637-5600  
FAX (202) 637-5910  
WWW.HHLAW.COM

May 12, 2004

**VIA FIRST CLASS MAIL**

Mr. Thomas E. Guardino  
1033 Forrester Way  
Eugene, Oregon 97401

**Re: U.S. Patent Application No. 09/517,977**  
**Title: TARGET PRICING METHOD**  
**Inventors: BOYD, Dean et al.**  
**Our Ref: 82001-0312**

Dear Mr. Guardino:

Further to our letter of October 6, 2003, we enclose for your convenience another copy of the supplemental Declaration for execution.

**Please execute the supplemental Declaration and return the signed document via facsimile or in the enclosed self-addressed return envelope provided for your convenience.** When executing the supplemental Declaration, you will need to initial and date any change or addition.

Please feel free to contact me should you have any questions concerning this application.

Very truly yours,

A handwritten signature in cursive script that reads "Celine Jimenez Crowson".

Celine Jimenez Crowson

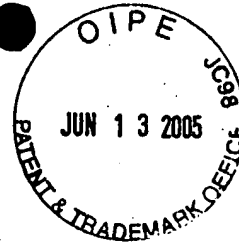
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Enclosure

Letters sent to fellow inventors for signature: Dean Boyd



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L.L.P.

David D. Nelson  
Telephone: 202-637-6807  
Facsimile: 202-637-5910  
ddnelson@hhlaw.com



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555 THIRTEENTH STREET, NW  
WASHINGTON, DC 20004-1109  
TEL (202) 637-5600  
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July 27, 2004

**VIA FEDERAL EXPRESS**

Mr. Dean Boyd  
36245 Wagner Lane  
Cottage Grove, Oregon 97424

**Re: U.S. Patent Application No. 09/517,977**  
**Title: TARGET PRICING METHOD**  
**Inventors: BOYD, Dean et al.**  
**Our Ref: 82001-0312**

Dear Mr. Boyd:

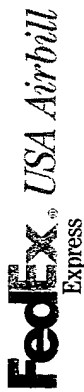
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Thank you for your prompt assistance. Please feel free to contact me should you have any questions concerning this application.

Very truly yours,

*David D. Nelson/dm*  
David D. Nelson

DDN:dm



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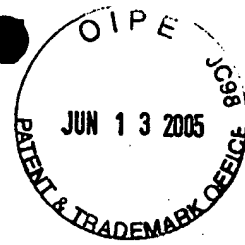
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555 THIRTEENTH STREET, NW  
WASHINGTON, DC 20004-1109  
TEL (202) 637-5600  
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July 27, 2004

**VIA FEDERAL EXPRESS**

Mr. Thomas E. Guardino  
1033 Forrester Way  
Eugene, Oregon 97401

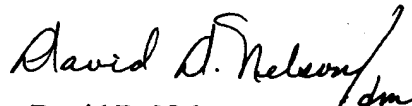
**Re: U.S. Patent Application No. 09/517,977**  
**Title: TARGET PRICING METHOD**  
**Inventors: BOYD, Dean et al.**  
**Our Ref: 82001-0312**

Dear Mr. Guardino:

The original declaration that you signed at the original filing of the subject application has been rejected by the U.S. Patent and Trademark Office for technical reasons. Thus, a supplemental Declaration form for your signature is enclosed. Please execute the supplemental Declaration and return the signed document via facsimile or in the enclosed self-addressed Federal Express return envelopes provided for your convenience. Please note that if you find any errors in your personal information when executing the supplemental Declaration, you may make corrections by initialing and dating any change or addition.

Thank you for your prompt assistance. Please feel free to contact me should you have any questions concerning this application.

Very truly yours,

  
David D. Nelson

DDN:dm



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City WASHINGTON State DC ZIP 20004

2 Your Internal Billing Reference 82001-0312

3 To Recipient's Name Thomas E. Guardino Phone ( )

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City EUGENE State OH ZIP 97401

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#### 4b Express Freight Service

☐ FedEx 1Day Freight\* Next business day ☐ FedEx 2Day Freight Second business day ☐ FedEx 3Day Freight Third business day

\* Call for Confirmation.

#### 5 Packaging

☐ FedEx Envelope\* ☒ FedEx Pak\* Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak

#### 6 Special Handling

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